

EXHIBIT D

From: Meier, Peter C. <petermeier@paulhastings.com>
Sent: Monday, September 18, 2023 9:17 PM
To: Alexander Papachristou; Seth Jones; Monique Rydel-Fortner
Cc: Andrew Packard; Bill Verick; Brian Acree; Will Carlon; Kirk Boyd; *navidhillon@paulhastings.com; Karis, Hariklia; Kelley, Jon David; Nomellini, Mark J.
Subject: RE: California Sportfishing Protection Alliance v. Pacific Bell Telephone Company, No. 2:21-cv-00073 -- Request for Meet-and-Confer with Marine Taxonomic Services and Below the Blue

This message is from an EXTERNAL SENDER

Be cautious, particularly with links and attachments.

Counsel:

Please provide us immediately with contact information for new legal counsel for MTS and BTB. As you are aware, MTS's and BTB's responses and objections to our subpoenas were due more than three weeks ago. We attempted to meet and confer with MTS and BTB in multiple communications dating from September 5. In light of these delays and non-compliance, we intend to move forward with the process for scheduling and/or filing motions to compel, absent an agreement by MTS and BTB to produce their documents.

Best regards,

Peter Meier

From: Alexander Papachristou <APAPACHRISTOU@nycbar.org>
Sent: Monday, September 18, 2023 1:24 PM
To: Meier, Peter C. <petermeier@paulhastings.com>; Seth Jones <seth@consultmts.com>; Monique Rydel-Fortner <monique@consultmts.com>
Cc: Andrew Packard <andrew@packardlawoffices.com>; Bill Verick <wverick@igc.org>; Brian Acree <brian@brianacree.com>; Will Carlon <wncarlon@packardlawoffices.com>; Kirk Boyd <jkb@drjkb.com>; Dhillon, Navi <navidhillon@paulhastings.com>; Karis, Hariklia <hkaris@kirkland.com>; Kelley, Jon David <jon.kelley@kirkland.com>; Nomellini, Mark J. <mnomellini@kirkland.com>
Subject: [EXT] RE: California Sportfishing Protection Alliance v. Pacific Bell Telephone Company, No. 2:21-cv-00073 -- Request for Meet-and-Confer with Marine Taxonomic Services and Below the Blue

--- External Email ---

Peter,

We have found counsel to represent MTS and BtB. We are getting them up to speed, and you should hear from them soon.

Alex

From: Meier, Peter C. <petermeier@paulhastings.com>

Sent: Thursday, September 14, 2023 3:24 PM

To: Alexander Papachristou <APAPACHRISTOU@nycbar.org>; Seth Jones <seth@consultmts.com>; Monique Rydel-Fortner <monique@consultmts.com>

Cc: Andrew Packard <andrew@packardlawoffices.com>; Bill Verick <wverick@igc.org>; Brian Acree <brian@brianacree.com>; Will Carlon <wncarlon@packardlawoffices.com>; Kirk Boyd <jkb@drjkb.com>; Dhillon, Navi <navidhillon@paulhastings.com>; Karis, Hariklia <hkaris@kirkland.com>; Kelley, Jon David <jon.kelley@kirkland.com>; Nomellini, Mark J. <mnomellini@kirkland.com>

Subject: RE: California Sportfishing Protection Alliance v. Pacific Bell Telephone Company, No. 2:21-cv-00073 -- Request for Meet-and-Confer with Marine Taxonomic Services and Below the Blue

[EXTERNAL MESSAGE]

To Seth Jones, Monique Rydel-Fortner, and Alexander Papachristou:

We have not received a substantive response from Below the Blue to our efforts on September 5 and 11 to meet and confer regarding Below the Blue's failure to comply with the subpoena that Defendant Pacific Bell Telephone Company ("Pacific Bell") served on it on August 9, 2023. As a result, Pacific Bell will be contacting the Court to schedule a pre-motion conference with Judge Peterson. ***Therefore, please advise us by 5:00 p.m. PDT today of the dates and times when you are available to confer with the Court regarding this matter.***

We also have copied counsel for Plaintiff on this message to request they let us know their availability if they would like to participate in the conference.

Best regards,

Peter Meier

From: Alexander Papachristou <APAPACHRISTOU@nycbar.org>

Sent: Monday, September 11, 2023 12:56 PM

To: Meier, Peter C. <petermeier@paulhastings.com>; Seth Jones <seth@consultmts.com>

Cc: Monique Rydel-Fortner <monique@consultmts.com>; Dhillon, Navi <navidhillon@paulhastings.com>; Karis, Hariklia <hkaris@kirkland.com>; Kelley, Jon David <jon.kelley@kirkland.com>; Nomellini, Mark J. <mnomellini@kirkland.com>; Altamirano, Chris <chrisaltamirano@paulhastings.com>

Subject: [EXT] RE: California Sportfishing Protection Alliance v. Pacific Bell Telephone Company, No. 2:21-cv-00073 -- Request for Meet-and-Confer with Marine Taxonomic Services and Below the Blue

--- External Email ---

Peter,

We are working actively to secure counsel for Below the Blue and MTS. Please bear with us.

Thanks,

Alex

From: Meier, Peter C. <petermeier@paulhastings.com>

Sent: Monday, September 11, 2023 2:56 PM

To: Seth Jones <seth@consultmts.com>

Cc: Monique Rydel-Fortner <monique@consultmts.com>; Dhillon, Navi <navidhillon@paulhastings.com>; Karis, Hariklia <hkaris@kirkland.com>; Kelley, Jon David <jon.kelley@kirkland.com>; Nomellini, Mark J. <mnomellini@kirkland.com>; Altamirano, Chris <chrisaltamirano@paulhastings.com>; Alexander Papachristou <APAPACHRISTOU@nycbar.org>

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[EXTERNAL MESSAGE]

Dear Mr. Jones:

Thank you for this update. As a reminder, the compliance dates for the subpoenas were August 23 (Below the Blue) and August 24 (MTS), and we previously requested a meet-and-confer regarding the failure of Below the Blue and MTS to respond to the subpoenas no later than September 8. If Below the Blue and MTS retain counsel and each wish to conduct a meet-and-confer, please inform us of this fact no later than September 13. Absent an agreement resolving the issues as to compliance with the subpoenas, we intend to move forward with the scheduling of motions to compel after that date.

Best regards,
Peter Meier

From: Seth Jones <seth@consultmts.com>

Sent: Sunday, September 10, 2023 8:10 PM

To: Meier, Peter C. <petermeier@paulhastings.com>

Cc: Monique Rydel-Fortner <monique@consultmts.com>; Dhillon, Navi <navidhillon@paulhastings.com>; Karis, Hariklia <hkaris@kirkland.com>; Kelley, Jon David <jon.kelley@kirkland.com>; Nomellini, Mark J. <mnomellini@kirkland.com>; Altamirano, Chris <chrisaltamirano@paulhastings.com>; Alexander Papachristou <apapachristou@nycbar.org>

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Hi Peter,

Alexander Papachristou on behalf of the Vance Center is trying to get us legal representation. He does not live nor practice law in California, nor is he a litigator so he is not able to represent us. If you wish to contact him - he is cc'ed on this email.

Thanks,

Seth Jones

On Sep 5, 2023, at 5:01 PM, Meier, Peter C. <petermeier@paulhastings.com> wrote:

Dear Mr. Jones:

Attached are copies of letters sent today by my office to Marine Taxonomic Services and Below the Blue, with regard to the subpoenas served on them in the above-referenced matter. If you, Marine Taxonomic Services, or Below the Blue have retained legal counsel with regard to the subpoenas, we would appreciate your forwarding this correspondence to such counsel and we ask that any counsel who are involved contact us regarding this matter.

Best regards,

Peter Meier

Peter Meier | Partner, Litigation Department

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petermeier@paulhastings.com | www.paulhastings.com

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